

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 157

95TH GENERAL ASSEMBLY  
2009

0935L.06T

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## AN ACT

To amend chapter 633, RSMo, by adding thereto one new section relating to autism as addressed by the division of developmental disabilities.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 633, RSMo, is amended by adding thereto one new  
2 section, to be known as section 633.220, to read as follows:

**633.220. 1. For purposes of this section, the following terms shall  
2 mean:**

3 (1) "Autism", a lifelong developmental disability that typically  
4 appears during the first three years of life resulting from a  
5 neurological disorder that affects brain functioning which interferes  
6 with communication, learning, behavior, and social development;

7 (2) "Division", the division of developmental disabilities;

8 (3) "Family support", services and helping relationships for the  
9 purpose of maintaining and enhancing family caregiving. Family  
10 support may be any combination of services that enable individuals  
11 with autism to reside within their family homes and remain integrated  
12 within their communities. Family support services shall be:

13 (a) Based on individual and family needs;

14 (b) Identified by the family;

15 (c) Easily accessible to the family;

16 (d) Family-centered and culturally sensitive;

17 (e) Flexible and varied to meet the changing needs of the family

18 members; and

19 (f) Provided in a timely manner contingent upon the availability  
20 of resources;

21 (4) "Service provider", a person or entity which provides and  
22 receives reimbursement for autism programs and services as specified  
23 in this section.

24 2. The division of developmental disabilities shall establish  
25 programs and services for persons with autism. These programs and  
26 services shall be established in conjunction with persons with autism  
27 and with families of persons with autism. The division shall establish  
28 such programs and services in conjunction with the regional parent  
29 advisory councils and with the Missouri parent advisory committee on  
30 autism. The programs and services shall be designed to enhance  
31 persons with autism spectrum disorders and families' abilities to meet  
32 needs they identify and shall:

33 (1) Develop skills for persons with autism through supports,  
34 services, and teaching;

35 (2) Teach families to provide behavioral supports to members  
36 with autism; and

37 (3) Provide needed family support.

38 3. The division director, with input from the Missouri parent  
39 advisory council on autism, shall divide the state into at least five  
40 regions and establish autism programs and services which are  
41 responsive to the needs of persons with autism and families consistent  
42 with contemporary and emerging best practices. The boundaries of  
43 such regions, to the extent practicable, shall be contiguous with  
44 relevant boundaries of political subdivisions and health service areas.

45 4. The regional projects may provide or purchase, but shall not  
46 be limited to the following services in addition to other contemporary  
47 and emerging based practices:

48 (1) Assessment;

49 (2) Advocacy training;

50 (3) Behavior management training and supports;

51 (4) Communication and language therapy;

52           **(5) Consultation on individualized education and habilitation**  
53 **plans;**

54           **(6) Crisis intervention;**

55           **(7) Information and referral assistance;**

56           **(8) Life skills;**

57           **(9) Music therapy;**

58           **(10) Occupational therapy, sensory integration therapy, and**  
59 **consultation;**

60           **(11) Parent or caregiver training;**

61           **(12) Public education and information dissemination;**

62           **(13) Respite care; and**

63           **(14) Staff training.**

64           **5. Each regional project shall have a regional parent advisory**  
65 **council composed of persons with autism and persons that have family**  
66 **members with autism, including family members that are young**  
67 **children, school-age children, and adults, and who have met the**  
68 **division's eligibility requirements to be a client as defined under**  
69 **section 630.005, RSMo. Members of a regional parent advisory council**  
70 **shall be Missouri residents. No member shall be a service provider, a**  
71 **member of a service provider's board of directors, or an employee of a**  
72 **service provider or the division.**

73           **6. The responsibilities of each regional parent advisory council**  
74 **shall include, but not be limited to, the following:**

75           **(1) Advocacy;**

76           **(2) Contract monitoring;**

77           **(3) Review of annual audits of projects by the department of**  
78 **mental health;**

79           **(4) Recommendation of services to be provided based on input**  
80 **from families;**

81           **(5) Recommendation of policy, budget, and service priorities;**

82           **(6) Monthly review of service delivery;**

83           **(7) Planning;**

84           **(8) Public education and awareness;**

85           **(9) Recommendation of service providers to the division for**

86 administration of the project; and

87 (10) Recommendation of contract cancellation.

88 7. The division shall establish the Missouri parent advisory  
89 committee on autism. The committee shall be appointed by the division  
90 director. A chair of the committee shall be selected by members of the  
91 committee. It shall be composed of:

92 (1) Two representatives and one alternate from each of the  
93 regional parent advisory committees established in subsection 3 of this  
94 section;

95 (2) One person with autism and his or her alternate.

96 8. The division director shall make every effort to appoint  
97 members nominated by the regional parent advisory councils. The  
98 membership should represent the cultural diversity of the state and  
99 represent persons with autism of all ages and capabilities.

100 9. The responsibilities of the Missouri parent advisory committee  
101 on autism shall include, but not be limited to, the following:

102 (1) Serve as a liaison with the regional parent advisory councils  
103 and provide current information to them and the persons and families  
104 they serve;

105 (2) Determine project outcomes for autism services;

106 (3) Plan and sponsor statewide activities;

107 (4) Recommend service providers to the division director in the  
108 event a regional parent advisory committee and the district  
109 administrator cannot reach consensus; and

110 (5) Provide an annual report to the Missouri commission on  
111 autism spectrum disorders, the governor, the director of the  
112 department of mental health, and director of the division of  
113 developmental disabilities.

114 10. The director of the department of mental health shall  
115 promulgate rules and regulations to implement this section. Any rule  
116 or portion of a rule, as that term is defined in section 536.010, RSMo,  
117 that is created under the authority delegated in this section shall  
118 become effective only if it complies with and is subject to all of the  
119 provisions of chapter 536, RSMo, and, if applicable, section 536.028,

120 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any**  
121 **of the powers vested with the general assembly pursuant to chapter**  
122 **536, RSMo, to review, to delay the effective date, or to disapprove and**  
123 **annul a rule are subsequently held unconstitutional, then the grant of**  
124 **rulemaking authority and any rule proposed or adopted after August**  
125 **28, 2009, shall be invalid and void.**

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